

REMARKS

Entry of this Amendment After Final Rejection and reconsideration in light thereof are respectfully requested. This Amendment does not raise any new issues or require any new searching by the Examiner. The only change made by this Amendment is the cancellation of claims 6-13. It is believed that upon cancellation of these claims and reconsideration of the remaining claims in light of the arguments presented below, the application will be in condition of allowance.

In the Office Action dated June 17, 2003, the Examiner rejected claims 6, 8, 10, and 12 under 35 U.S.C. 103(a) as being unpatentable over by U.S. 3,247,581 (Pellizzari, hereinafter, U.S. '581) in view of U.S. 3,852,987 (Price et al, hereinafter U.S. '987). The Examiner also rejected claims 7, 9, 10, and 13 under 35 U.S.C. 103(a) as being unpatentable over U.S. '581 in view of U.S. '987 and further in view of U.S. 6,260,401 (Iada, hereinafter U.S. '401). In response to these rejections claims 6-13 are cancelled herein rendering these rejections moot.

In the Office Action, the Examiner rejected claims 14, 16, 18, and 20 under 35 U.S.C. 103(a) as being unpatentable over U.S. 5,960,660 (Klaas et al, hereinafter U.S. '660) in view of U.S. '581, and claims 15, 17, 19 and 21 under 35 U.S.C. 103(a) as being unpatentable over U.S. '660, in view of U.S. '581 and further in view of U.S. '401. For the reasons set forth below, it is believed that claims 14-21 are not rendered unpatentable by any of the prior art of record.

Claim 14 claims a process for forming a tube-shaped hollow body. This process comprises the following five steps:

- (1) shaping a slab-shaped semi-finish product into a closed cross-sectional profile;
- (2) welding opposing edges of the semi-finished product to produce the hollow body;
- (3) mechanically partially expanding the hollow body thereby changing the cross-sectional area of the hollow body,

Attorney Doc. No.: 20496/366

- (4) soft annealing the hollow body after the mechanically partially expanding; and
- (5) hydroforming the hollow body after the soft annealing.

Applicants submit that the combination of these five steps is not rendered obvious by the prior art of record.

The Examiner asserted that claim 14 is obvious from U.S. '660 when taken in view of U.S. '581. The Examiner asserted that U.S. '660 discloses forming a tubular body by mechanical expansion using actuated dies (column 3, line 58 to column 4 line 2) followed by hydroforming to a final shape (column 4, lines 26 to 28). Applicants respectfully disagree.

U.S. '660 discloses a method for producing a hollow camshaft in a two step shaping process consisting of a pre-form and a finishing step, whereby widening of the tube-shaped hollow body is achieved in both steps by applying an internal high pressure (column 2, lines 23 to 42). In fact, U.S. '660 discloses that during the pre-form step the material is axially pushed longitudinally inwards from opposite sides of each shaft by a movable die (column 3, line 65 to column 4, line 2). Thus, during pre-forming, the mechanical shaping takes place in only the axial direction. Expansion in radial direction is realized by applying an internal high pressure. However, the limitation of claim 14 requiring a mechanical partially expansion of the hollow body thereby changing the cross-sectional area of the hollow body is not disclosed or suggested by US '660. As this feature is also not disclosed by U.S. '580, this feature is not disclosed or suggested by the combination of U.S. '660 with U.S. '580.

As there is no suggestion in any of the prior art to perform mechanical partial expansion of a hollow body thereby changing its cross-section, claim 14 is not rendered unpatentable by any combination of the cited prior art.

Accordingly, withdrawal of the rejection of claim 14 and the claims which depend from it under 35 U.S.C. 103(a) is respectfully requested.

Attorney Docket No.: 20496/366

In view of the foregoing, it is believed that the application is now in condition for allowance and a favorable action on the merits is respectfully requested.

Respectfully submitted,

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Date: September 17, 2003

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